

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 15th APRIL 2016

The Environment Act 1995 – Public Consultation on Carmarthen Air Quality

To consider and comment on the following issues:

- (i) To issue an Order designating the boundary of an Air Quality Management Area, (AQMA), for Carmarthen as illustrated in attached report and;
- (ii) To set up a Steering Group made up of all relevant stakeholders to assist in the development of an Action Plan and;
- (iii) To develop an Action Plan in accordance with legislative requirements that will pursue the improvement of air quality and the reduction of nitrogen dioxide levels within the AQMA.

Reasons:

- To update members on the consultation process with a view to declaring an Air Quality Management Area within Carmarthen.
- To ensure compliance with legislation and;
- To satisfy the outcomes of the Detailed Assessment Report, which has been agreed and approved by the Welsh Government, in reducing Nitrogen Dioxide levels in Carmarthen and;
- To consider and incorporate, where appropriate, the responses received during the formal consultation process.
- To formulate views for submission to the Executive Board / Council for consideration.

To be referred to the Executive Board / Council for decision: YES

**Executive Board – 25th April 2016
County Council – 11th May 2016**

Executive Board Member Portfolio Holder:
Cllr. Jim Jones (Environmental & Public Protection)

Directorate: Communities	Designations:	Tel Nos. / E-Mail Addresses:
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EXECUTIVE SUMMARY

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 15th APRIL 2016

The Environment Act 1995 – Public Consultation on Carmarthen Air Quality

The Environment Act 1995 places a duty on Local Authorities to assess and manage air quality in its area. This is achieved through the Local Air Quality Management work. There are various pollutants that can be assessed but Local Authorities are only required to monitor for those that have a potential to breach the Air Quality Objectives. For Carmarthenshire, the main pollutant of concern is nitrogen dioxide (NO₂).

The Environment Act 1995 specifies how Local Authorities deal with areas that fail to comply with the national air quality objectives.

The town of Carmarthen in Carmarthenshire has experienced increasing levels of NO₂ over the last few years, to the extent that the air quality objective for NO₂ has been breached. The Welsh Government has required the Authority to carry out a Detailed Assessment to ascertain the extent and level of exceedence of the Air Quality Objective.

Following Executive Board approval on the 11 May 2015, a public consultation was launched on the 5th October 2015 seeking views on the proposed boundary for the AQMA. Notification of the consultation was provided to relevant statutory consultees, local councillors for those areas affected, Chamber of Trade and members of the public.

The consultation was posted on the 'iLocal' section of the Authority's website and news feeds sent out via Twitter and Facebook. The consultation was for a period of about eight weeks with the closing date for comments being the 30th November 2015.

Response to Consultation

A summary of the responses received to the public consultation are shown in the following table.

Table 1 – Summary of Responses

Consultee	Response
Welsh Government (Air)	No response
Carmarthen Town Council	Agreed with proposed boundary and welcomed the designation of an AQMA and development of an Action Plan in order to take appropriate action. In particular would like to see relevant road markings refreshed, such as 'Keep Clear', and Introduction of more filter lanes to reduce congestion and improve traffic flow.
Carmarthen Chamber of Trade	Agreed with the proposed boundary and concurred with the hot spot areas. Welcome the designation of an AQMA and continued monitoring of pollution levels.
Natural Resources Wales	No response.
Public Health Wales	Expressed a wish to participate in assisting the Local Authority develop an Action Plan and quantify health impacts collaboratively with its partner organisations.
Individual Ward Councillors	Concern that the boundary does not include Job's Well Road, College Road or extend out to Old St. Clear's Road and down to Llansteffan Road.
Farmers Union of Wales	No response
National Union of Farmers	No response
Residents and Businesses	No responses
Website visits	76 hits

No specific objections have been received in respect of setting the boundary although concerns were raised that it did not include Job's Well Road, College Road and Llansteffan Road. There is support for the need to designate an AQMA.

Historically, air quality monitoring has been carried out for College Road and Job's Well Road and identified that it was unlikely there would be a breach of the Air Quality Objective (AQO). A screening exercise has previously been carried out for Llansteffan Road, in accordance with the government guidance, and this also identified that it was very unlikely there would be a breach of the AQO.

Due consideration has been given to the concerns in respect of these roads, and it is acknowledged that some sections of the roads suffer from considerable congestion. The new Carmarthen West developments and link road also have to be taken in to account and, as yet, the impacts from these developments are unknown. It is considered that the link road will actually take pressure off of the roads previously mentioned. With these factors in mind it is considered that it would not be appropriate at this time to include these roads within the AQMA boundary.

The situation will be kept under review and if circumstances dictate then consideration for designating an AQMA for these locations can be progressed. To assist the on-going review it has been decided to set up an additional three NO2 monitoring locations at Old St Clears Road, College Road and Llansteffan Road. These will be active from January 2016.

In light of the observations above, it has therefore been decided not to amend the original proposed boundary map.

The proposed Order and AQMA boundary map are at the end of the attached report. The Local Authority must now work towards developing an Action Plan that will pursue the improvement of air quality and the reduction of nitrogen dioxide within the AQMA.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Robin Staines** Head of Housing & Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

The declaration of an Air Quality Management Area, (AQMA), could impact directly on Health, Transport and Planning policies. These parties should form part of the Steering Group set up to assist in the development of an Action Plan.

2. Legal

The legal process detailed in the legislation and supporting guidance must be adhered to.

3. Finance

There should not be financial implications at the designation of AQMA and development of an Action Plan unless the Welsh Government instructs that further monitoring is required. There are possible cost implications at the implementation stages of potential intervention options however any actions falling out of the Action Plan will be subject to further reports, consideration and approval.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Robin Staines** **Head of Housing & Public Protection**

1. Local Member(s) – Consulted as part of the consultation process. The Environmental & Public Protection Scrutiny Committee was also consulted as part of the consultation process and its comments are included in the attached detailed report.

2. Community / Town Council – Consulted as part of the consultation process.

3. Relevant Partners – Consulted as part of the consultation process.

4. Staff Side Representatives and other Organisations – Consulted as part of the consultation process.

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Consultation Responses	Pollution Team, Environmental Health and Licensing Section, Town Hall, Ammanford
(i) The Environment Act 1995 (Part IV) (ii) Air Quality (Wales) Regulations 2000 (iii) Air Quality Strategy (Wales) 2007 (iv) LAQM Technical Guidance 2009 (v) LAQM Policy Guidance 2009 (Wales)	Pollution Team, Environmental Health and Licensing Section, Town Hall, Ammanford
(i) 2013 Air Quality Progress Report Updating & Screening Assessment for Carmarthenshire (ii) 2013 Carmarthen Detailed Assessment Report for Carmarthenshire (iii) 2014 Air Quality Progress Report for Carmarthenshire (iv) 2014 Carmarthen Extended Detailed Assessment Report for Carmarthenshire (v) 2015 Air Quality Updating & Screening Assessment Report for Carmarthenshire	Pollution Team, Environmental Health and Licensing Section, Town Hall, Ammanford

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Local Air Quality Management (LAQM) – Detailed Assessment of Air Quality in Carmarthen (Executive Board, 11th May 2015)	<p>Agenda http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150511/index.asp</p> <p>Minutes http://online.carmarthenshire.gov.uk/agendas/eng/EXEB20150511/MINUTES.HTM</p>
Local Air Quality Management (LAQM) – Detailed Assessment of Air Quality in Carmarthen (E&PP Scrutiny Committee, 8th April 2015)	<p>Agenda http://online.carmarthenshire.gov.uk/agendas/eng/ENMT20150408/index.asp</p> <p>Minutes http://online.carmarthenshire.gov.uk/agendas/eng/ENMT20150408/MINUTES.HTM</p>